

debated. The unseemliness was in the mode of discussion, not in the absurdity of the subject. They all went into the debate understanding that the defeated or weaker party was to be burned. That was the rule of the game. All the strife of sects and parties was carried on in unseemly ways and with scandalous incidents. The lack of control, measure, due limit, was due to the lack of reality. Torture, persecution, violent measures, would all have been impossible if there had been a sense of seemliness. The punishments, executions, and public amusements grossly outraged any human and civilized taste. The treatment of the Templars, although it was no doubt good statecraft to abolish the order, was a scandalous outrage. In the face of Christendom torture was used to extort the evidence which was wanted to destroy the order, without regard to truth and justice.¹ The crusades were extravagant and fantastic, and were attended by incidents of shameful excess, gross selfishness, venality, and bad faith. It is one of the most amazing facts about witch persecutions in the sixteenth and seventeenth centuries that jurists did not see the unseemliness of their acts compared with the civilization of the period and the character claimed by their states. How was it possible for grave, learned, and honest men to go on torturing and burning miserable old women ? It is not until the end of the seventeenth century that we hear of sheriffs in England who refused to burn witches. One of the most unseemly incidents in history is the execution of Damians for attempting to kill Louis XV. The authorities of the first state in Christendom multiplied tortures of the extremest kind, and caused them to be executed in public on the culprit. The treatment

of the Tories
in the American Revolution was unseemly. It left a
deep stain
on our history.

500. Unseemliness of lynching, torture, etc. It is
an unseemly
thing and unworthy of our age and civilization
that persons
should be lynched for alleged crime, without the
trial and proof
which our institutions provide for. The arguments in
defense of
lynching (except on the frontier, where civil
institutions do not

¹ Lea, *Inquis.*) III, 238, 260, 319; Schotmiiller, *Der
Untergang
Or dens j I*, 625. *des Templer**